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SIXTH COMMITTEE
Agenda item 137

REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS FORTY-SIXTH SESSION

Costa Rica, Japan, Romania, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Question of the establishment of an international criminal court

The General Assembly,

Recalling its resolution 48/31 of 9 December 1993, in which it requested the International Law Commission to continue its work on the question of a draft statute for an international criminal court with a view to elaborating a draft statute if possible at its forty-sixth session in 1994,

Noting with satisfaction that the International Law Commission has completed its work on such a draft statute, 1/

Recognizing the contribution now being made by the International Tribunal for the Protection of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the former Yugoslavia since 1991,

1. Expresses its appreciation to the International Law Commission for having elaborated and presented a draft statute for the establishment of an international criminal court;

1/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 10 (A/49/10), para. 91.

2. Decides to establish an ad hoc committee open to all Member States to prepare for decisions at the fiftieth session in connection with consideration of the draft statute prepared by the International Law Commission;

3. Requests the Ad Hoc Committee to review the major substantive and administrative issues relating to the establishment of an international criminal court, including issues arising out of the report of the International Law Commission 1/ and to provide its views and conclusions to the General Assembly at its fiftieth session;

4. Requests the Secretary-General to invite the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 to participate in the work of the Ad Hoc Committee;

5. Decides that the Ad Hoc Committee will meet from ... to ... 1995, and requests the Secretary-General to provide the Ad Hoc Committee with the necessary facilities for the performance of its work;

6. Requests the Secretary-General to present to the Ad Hoc Committee a preliminary report with provisional estimates of the staffing, structure and costs of the establishment and operation of an international criminal court;

7. Decides to include in the provisional agenda of its fiftieth session an item entitled "Question of the establishment of an international criminal court".